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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/722,369

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EXAMINER

VAN DOREN, BETH

ART UNIT

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3623

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/722,369	Applicant(s) HIRANO ET AL.	
	Examiner BETH VAN DOREN	Art Unit 3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>20031126</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The following is a non-final, first office action on the merits. Claims 1-13 are pending.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites “storing worker information of each work item with respect to the work in a work information storage section”. It not clear what the scope of this limitation is.

Clarification is required.

Claims 2-4 depend from claim 1 and therefore contain the same deficiencies.

Claim 5 recites a work support method adapted to an apparatus. It not clear what the scope of this limitation is. For examination purposes, it has been construed that the method is implemented using an apparatus. Further, claim 5 is a method with a single act of extracting. Methods are a series of acts to do something, so it is not sufficiently clear how a single step is a method. Clarification is required.

Claim 6 recites an apparatus that is comprised of a series of “sections”. Since it is not clear what a section is meant to encompass, it is not specifically clear what the structure of the apparatus is and how the body of the claim matches the preamble. Clarification is required.

Claims 7-9 depend from claim 6 and therefore contain the same deficiencies.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 5, 6, and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Jilk et al. (U.S. 7,155,400).

As per claim 1, Jilk et al. teaches a work support method comprising:

storing skill information of workers in a skill information storage section (see column 3, lines 1-10, column 5, lines 37-45, column 6, lines 60-61, and column 11, lines 34-45, which discloses skill information for a worker being stored in a database);

storing work item information with respect to a work in a work item information storage section (see column 3, lines 1-10, column 5, lines 49-55, column 7, lines 32-65, and column 16, lines 1-30, which discloses information associated with a work item (task));

storing worker information of each work item with respect to the work in a work information storage section (see column 3, lines 1-10, column 5, lines 37-55, column 6, lines 60-61, column 11, lines 34-45, and column 16, lines 1-30, wherein worker information that relates to information associated with tasks is stored); and

extracting a worker corresponding to each work item by referring to the skill information storage section and storing the extracted worker in the work information storage section, with respect to each work item stored in the work item information storage section, in response to a

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work order (See column 2, line 54-column 3, line 10, column 7, lines 32-65, column 15, lines 35-55 and line 62-column 16, line 29, column 23, lines 40-55, wherein workers are selected for the task based on the skill information stored in the database).

Claims 5, 6, and 10 recite substantially similar subject matter to claim 1 and are therefore rejected using the same art and rationale set forth above.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2, 7, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jilk et al. (U.S. 7,155,400).

As per claim 2, Jilk et al. teaches wherein said storing skill information further stores in the skill information storage section information related to a training which is being received by each worker, and said extracting extracts the worker by also referring to the training stored in the skill information storage section (See column 7, lines 40-52, column 8, lines 23-30, column 9, lines 45-60, column 10, lines 5-20 and 40-46, and column 11, lines 34-48, wherein training information associated with a worker is stored and used to select workers for different jobs). However, while Jilk et al. stores that the training has been completed, Jilk et al. does not expressly disclose that an end date associated with a received training is stored.

Jilk et al. teaches a task management system that matches employees with tasks based on skills and certification information, included training information. It is old and well known in the art to store a completion date of training, such as a resume containing a graduation date (i.e. a completion date) for a degree. It would have been obvious to one of ordinary skill in the art at the time of the invention to include an end date for a training in order to more accurately represent that a user has completed a training, thus allowing the system to match only qualified candidates with jobs.

Claims 7 and 11 recite substantially similar limitations to claim 2 and are therefore rejected using the same art and rationale set forth above.

8. Claims 3-4, 8-9, and 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jilk et al. (U.S. 7,155,400) in view of Brodersen et al. (U.S. 6,850,895).

As per claim 3, Jilk et al. teaches wherein said extracting extracts a first worker to actually perform each work item and storing extracted workers in the work information storage section (See column 2, line 54-column 3, line 10, column 7, lines 32-65, column 15, lines 35-55 and line 62-column 16, line 29, column 23, lines 40-55, wherein workers are selected for the task based on the skill information stored in the database). However, Jilk et al. does not expressly disclose that said extracting extracts a second worker to assist the first worker.

Brodersen et al. teaches extracting a second worker to assist the first worker (See column 2, lines 28-36 and 55-67, column 4, lines 1-5 and 48-67, column 5, lines 42-60, column 6, lines 27-37, and column 13, lines 10-15, which discloses a rule based system that matches multiple workers to a task, where one worker is a primary worker).

Both Jilk et al. and Brodersen et al. are concerned with matching workers to jobs based on their skill sets. Brodersen et al. specifically discloses assigning multiple workers to the same task, with one worker being the primary worker. It would have been obvious to one of ordinary skill in the art at the time of the invention to include selecting a second worker for a task in order to more efficiently work on complex tasks using a team of workers. See Brodersen et al., column 2, lines 28-36.

As per claim 4, Jilk et al. teaches wherein said extracting extracts the worker for the work item based on the work having skills comparable to that required of the work item, by referring to the skill information storage section (See column 2, line 54-column 3, line 10, column 7, lines 32-65, column 15, lines 35-55 and line 62-column 16, line 29, column 23, lines 40-55, wherein workers are selected for the task based on the skill information stored in the database). However, Jilk et al. does not expressly disclose extracting a second worker to assist the first worker, where the second worker has a skill comparable to that of the first worker.

Brodersen et al. discloses extracting a second worker to assist the first worker, where the second worker has a skill comparable to that of the first worker (See column 2, lines 28-36 and 55-67, column 4, lines 1-5 and 48-67, column 5, lines 42-60, column 6, lines 27-37, and column 13, lines 10-15, which discloses a rule based system that matches multiple workers to a task, where one worker is a primary worker. Both workers have skills that match the job profile, and thus the second worker has a skill comparable to that of the first worker).

Both Jilk et al. and Brodersen et al. are concerned with matching workers to jobs based on their skill sets. Brodersen et al. specifically discloses assigning multiple workers to the same task, with one worker being the primary worker. It would have been obvious to one of ordinary

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skill in the art at the time of the invention to include selecting a second worker for a task in order to more efficiently work on complex tasks using a team of workers. See Brodersen et al., column 2, lines 28-36.

Claims 8 and 9 recite substantially similar subject matter to claims 3 and 4, respectively, and are therefore rejected using the same art and rationale set forth above.

Claims 12 and 13 recite substantially similar subject matter to claims 3 and 4, respectively, and are therefore rejected using the same art and rationale set forth above.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lane (U.S. 2003/0130820) teaches technician skills and comparison to previous work orders to benchmark skill needs.

Sinex (U.S. 2002/0133389) teaches training records and selecting the most skilled technicians to perform maintenance.

Hadden et al. (U.S. 7,181,413) teaches knowledge and skill levels assessment of employees, looking at skill levels before and after training.

McGovern et al. (U.S. 5,918,207) discloses assessing the skill levels of employees and determining and implementing development plans and training.

Kramer et al. (U.S. 2002/0052773) discloses determining the skill rating of a worker and then planning training.

Sisley et al. (U.S. 5,737,728) discloses assigning employees based on the employees skill sets and the needs of the jobs.

Lesaint et al. (U.S. 6,578,005) teaches allocating resources (i.e. employees) to tasks based on the assignment rules and the skills of a resource.

Travis et al. (U.S. 2004/0088177) teaches assessing employee skills and job requirements and then determining and managing training for employees.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BETH VAN DOREN whose telephone number is (571)272-6737. The examiner can normally be reached on M-F, 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BVD/
March 14, 2008

/Beth Van Doren/

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Primary Examiner, Art Unit 3623